

DANIEL G. BOGDEN
United States Attorney
CRISTINA D. SILVA
Assistant United States Attorney
Nevada Bar No. 13760
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
PHONE: (702) 388-6336
FAX: (702) 388-5087
cristina.silva@usdoj.gov

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

SALOME RIVERA-GUZMAN (aka Jorge
Vasquez-Riverio),

Defendants.

2:16-cr-00553-PAL

Stipulation to Continue the
Preliminary Hearing (*Second
Request*)

IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G. BOGDEN, United States Attorney, and CRISTINA D. SILVA, Assistant United States Attorney, counsel for the United States of America, and MONIQUE KIRTLEY, Assistant Federal Public Defender, counsel for defendant, that the preliminary hearing date in the above-captioned matter, currently scheduled for October 10, 2016, at 4:00 pm, be vacated and continued for thirty (30) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The parties are working towards a pre-indictment resolution. The

1 Government is finalizing a written plea agreement for the defendant's consideration.
2 Additional time is needed for the defendant to receive, review, and consider the plea
3 agreement.

4 2. The parties agree to the continuance.

5 3. Defendant Rivera-Guzman is in custody but does not object to a
6 continuance.

7 4. Additionally, denial of this request for continuance could result in a
8 miscarriage of justice.

9 5. The additional time requested herein is not sought for purposes of delay,
10 but to allow for a potential pre-indictment resolution of the case.

11 6. The additional time requested by this stipulation, is allowed, with the
12 defendant's consent under the Federal Rules of Procedure 5.1(d).

13 7. This is the second request for a continuation of the preliminary hearing.

14 DATED this 7th day of October, 2016.

15 Respectfully submitted,
16 DANIEL G. BOGDEN
United States Attorney

17 //s//
18 MONIQUE KIRTLEY, ESQ.
Counsel for Defendant
19 RIVERA-GUZMAN

20 //s//
21 CRISTINA D. SILVA
22 Assistant United States Attorney
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:16-cr-00553-PAL

Plaintiff,

vs.

ORDER

SALOME RIVERA-GUZMAN (aka Jorge
Vasquez-Riverio),

Defendant.

ORDER

Based on the pending Stipulation of counsel, and good cause appearing
therefore, the Court finds that:

1. The parties are working towards a pre-indictment resolution. The
Government is finalizing a written plea agreement for the defendant's consideration.
Additional time is needed for the defendant to receive, review, and consider the plea
agreement.

2. The parties agree to the continuance.

3. Defendant Rivera-Guzman is in custody but does not object to a
continuance.

4. Additionally, denial of this request for continuance could result in a
miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay,

1 but to allow for a potential pre-indictment resolution of the case.

2 6. The additional time requested by this stipulation, is allowed, with the
3 defendant's consent under the Federal Rules of Procedure 5.1(d).

4 7. This is the second request for a continuation of the preliminary hearing.

5 For all of the above-stated reasons, the ends of justice would best be served by a
6 continuance of the preliminary hearing date.

7 **CONCLUSIONS OF LAW**

8 The ends of justice served by granting said continuance outweigh the best
9 interest of the public and the defendants, since the failure to grant said continuance
10 would be likely to result in a miscarriage of justice, would deny the parties herein to
11 potentially resolve the case prior to indictment, and further would deny the parties
12 sufficient time and the opportunity within which to be able to effectively and
13 thoroughly prepare for the preliminary hearing, taking into account the exercise of due
14 diligence.

15 The continuance sought herein is allowed, with the defendants' consent,
16 pursuant to Federal Rules of Procedure 5.1(d).

17 **ORDER**

18 IT IS THEREFORE ORDERED that the preliminary hearing currently
19 scheduled for October 10, 2016, at the hour of 4:00 pm, be vacated and continued
20 to November 10, 2016, at the hour of 4:00 pm.

21 DATED this 24th day of October, 2016.

22 
23 THE HONORABLE PEGGY A. LEEN
24 UNITED STATES MAGISTRATE JUDGE